

60-15-07

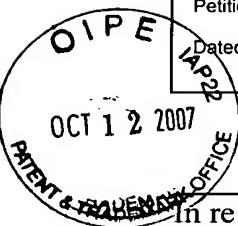
PCT

IAP6 Rec'd PCT/PTO 12 OCT 2007

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service as Express Mail, Airbill No. Unknown, on the date shown below in an envelope addressed to: MS Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: 10-12-07 Signature: Shannon Lang
(Shannon Lang)

Docket No.: 62740A
(PATENT)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Kenneth L. Foster et al.

Application No.: 10/552,877

Filed: 04/15/2004

For: METHOD OF FILLING HIGH ASPECT
RATIO, SMALL DIMENSION GAPS AND
FORMULATIONS USEFUL THEREIN

Confirmation No.: Unknown

Art Unit: Unknown

Examiner: Not Yet Assigned

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)

MS Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

Applicant attempted to reply as shown by the attached response dated 20 November 2006. However, this response was inadvertently submitted the response with the incorrect application number, resulting in abandonment. Note that the title and inventors names were correct. Since reply to the outstanding office action was attempted to be made within the allowed time, we ask that the application be reinstated.

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. It is submitted, therefore, that on the basis described above the abandonment should be held to be inadvertent, the enclosed Response and Declaration should be entered and the case revived.

Please charge our Deposit Account No. 04-1529 in the amount of \$1,500.00 covering the fee set forth in 37 CFR 1.17(m). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1529, under Order No. 62740A. A duplicate copy of this paper is enclosed.

Dated:

Respectfully submitted,

By Susan Moeller Zerull
Susan Moeller Zerull
Registration No.: 38,367
THE DOW CHEMICAL CO.
(989) 636-8858

10/19/2007 MKAYPAGH 00000140 041529 10552877
01 FC:1453 1540.00 DA

Please charge our Deposit Account No. 04-1529 in the amount of \$1,500.00 covering the fee set forth in 37 CFR 1.17(m). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1529, under Order No. 62740A. A duplicate copy of this paper is enclosed.

Dated:

Respectfully submitted,

By Susan Moeller Zerull
Susan Moeller Zerull
Registration No.: 38,367
THE DOW CHEMICAL CO.
(989) 636-8858

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/552,877 Confirmation No. 4479
Applicant(s) : Kenneth L. Foster et al.
Filed : October 12, 2005
TC/A.U. : Unknown
Examiner : Unknown
Title : METHOD OF FILLING HIGH ASPECT RATIO, SMALL DIMENSION GAPS
AND FORMULATIONS USEFUL THEREIN
Docket No. : 62740A
Customer No. : 00109

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL WITH SUFFICIENT POSTAGE IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON:
10-12-07
DATE OF DEPOSIT
Shannon Lang
PRINT OR TYPE NAME OF PERSON SIGNING CERTIFICATE
<u>Shannon Lang</u>
SIGNATURE OF PERSON SIGNING CERTIFICATE
10-12-07
DATE OF SIGNATURE

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESUBMISSION OF RESPONSE TO NOTICE TO FILE MISSING PARTS
WITH PETITION TO REVIVE UNDER 37 CFR 1.137(b)

Filed herewith are the Declaration and Power of Attorney and Part 2 of the Notice to File Missing Parts in the above-identified patent application. The filing date of the application is as noted above.

The \$130.00 fee for the separate filing of this Declaration required under 37 CFR §1.16(e) may be charged to our Deposit Account No. 04-1512. If this amount is incorrect, please credit or debit our Deposit Account.

Respectfully submitted,

Susan Moeller Zerull
Susan Moeller Zerull
Registration No. 38,367
Phone: (989) 636-8858

P. O. Box 1967
Midland, MI 48671-1967

SMZ/srl

DECLARATION AND POWER OF ATTORNEY USA/PCT

As a below named inventor, I hereby declare that:

- (a) My residence and Citizenship are as stated below my name. My P.O. (mailing) address is the same as my residence unless otherwise stated.
(b) I verily believe I am/we are the original, first and sole/joint inventor(s) of the subject matter that is embraced by and for which a patent is sought on the invention entitled: **METHOD OF FILLING HIGH ASPECT RATIO, SMALL DIMENSION GAPS AND FORMULATIONS USEFUL THEREIN**

and the specification of which: is attached hereto (____).
(check one) was filed on April 15, 2004 as (62740A).
Application No. PCT/US2004/011534
and was amended on _____

- (c) I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.
 - (d) I acknowledge my duty under 37 CFR 1.56 to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 CFR 1.56(b). If this application is a continuation-in-part application, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 CFR 1.56(b) that became available between the filing date of the prior application from which priority is claimed in part (f) below, and the national or PCT international filing date of this application.
 - (e) I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate listed below or §365(a) of any PCT international application that designated at least one country other than the United States of America listed below, and also identify below any other foreign equivalent application for patent or inventor's certificate or any other equivalent PCT international application having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)	PRIORITY CLAIMED	CERTIFIED COPIES INCL.
Number	Country or PCT	Day/Month/Year Filed

Additional claims for benefit are attached.

(f) I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below, or under 35 U.S.C. §120 of any United States application(s), or under § 365(c) of any PCT international application designating the United States of America listed below:

US or PCT Appln. Serial No. 60/463,709 **Filing Date** April 17, 2003 **Status at Application Filing Date** Pending

Additional claims for benefit are attached.

I hereby appoint the attorney(s) and/or agent(s) at the following Customer No. to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Address all correspondence to

00109

This appointment, including the right to delegate this appointment, shall also apply to the same extent it is applicable under the laws of the United States of America to any proceedings established by the Patent Cooperation Treaty.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor(s):

At: Midland, Michigan 48674, USA
this 11 day of November, 2006

Signature: Kenneth Foster
Full Name: Kenneth Foster
Residence: 114 West Carpenter Street
Midland, MI 48642
Country: United States of America
Citizenship: United States of America
P. O. Address: Same as Residence

At: Dan Europe Hergen, Ct
this 11 day of Oct., 2006

Signature: Michael Simmonds
Full Name: Michael Simmonds
Residence: Colonel Montegnie 93
Genval B-1332
Country: Belgium
Citizenship: United Kingdom
P. O. Address: Same as Residence

At: Midland, Michigan 48674, USA
this 20 day of November, 2004

Signature: James Godschalk
Full Name: James Godschalk
Residence: 2205 Plymouth Street
Midland, MI 48642
Country: United States of America
Citizenship: United States of America
P. O. Address: Same as Residence

At: _____
this ____ day of _____, 20____

Signature: _____
Full Name:
Residence:

Country:
Citizenship:
P. O. Address:

Additional names and signatures are attached.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/522,877 Confirmation No. 4479
Applicant(s) : Kenneth L. Foster et al.
Filed : October 12, 2005
TC/A.U. : Unknown
Examiner : Unknown
Title : METHOD OF FILLING HIGH ASPECT RATIO, SMALL DIMENSION GAPS
AND FORMULATIONS USEFUL THEREIN
Docket No. : 62740A
Customer No. : 00109

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November 20, 2006	
DATE OF DEPOSIT	
Shannon Ellis	
PRINT OR TYPE NAME OF PERSON SIGNING CERTIFICATE	
<u>Shannon Ellis</u>	
SIGNATURE OF PERSON SIGNING CERTIFICATE	
<u>11-20-06</u>	
DATE OF SIGNATURE	

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO NOTICE TO FILE MISSING PARTS

Filed herewith are the Declaration and Power of Attorney and Part 2 of the Notice to File Missing Parts in the above-identified patent application. The filing date of the application is as noted above.

The \$130.00 fee for the separate filing of this Declaration required under 37 CFR §1.16(e) may be charged to our Deposit Account No. 04-1512. If this amount is incorrect, please credit or debit our Deposit Account. This sheet is submitted in duplicate.

Respectfully submitted,

Susan Moeller Zerull
Susan Moeller Zerull
Registration No. 38,367
Phone: (989) 636-8858

P. O. Box 1967
Midland, MI 48671-1967

SMZ/sre

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As a below named inventor, I hereby declare that:

- (a) My residence and Citizenship are as stated below my name. My P.O. (mailing) address is the same as my residence unless otherwise stated.
(b) I verily believe I am/we are the original, first and sole/joint inventor(s) of the subject matter that is embraced by and for which a patent is sought on the invention entitled: **METHOD OF FILLING HIGH ASPECT RATIO, SMALL DIMENSION GAPS AND FORMULATIONS USEFUL THEREIN**

and the specification of which: is attached hereto (____).
(check one) was filed on April 15, 2004 as (62740A).
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 - (e) I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate listed below or §365(a) of any PCT international application that designated at least one country other than the United States of America listed below, and also identify below any other foreign equivalent application for patent or inventor's certificate or any other equivalent PCT international application having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)	PRIORITY CLAIMED	CERTIFIED COPIES INCL.
Number	Country or PCT	Day/Month/Year Filed
<input type="checkbox"/> Additional claims for benefit are attached.		

- (f) I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below, or under 35 U.S.C. §120 of any United States application(s), or under § 365(c) of any PCT international application designating the United States of America listed below:

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor(s):

At: Midland, Michigan 48674, USA
this 11 day of November, 2006

Signature: Kenneth Foster
Full Name: Kenneth Foster
Residence: 114 West Carpenter Street
Midland, MI 48642
Country: United States of America
Citizenship: United States of America
P. O. Address: Same as Residence

At: Dow Europe, Hergen, Ct
this 18 day of Oct. 2006

Signature: Michael Simmonds
Full Name: Colonel Montegnie 93
Residence: Genval B-1332
Country: Belgium
Citizenship: United Kingdom
P. O. Address: Same as Residence

Address: Midland, Michigan 48674, USA
Date: is 20 day of May 2011 **Year:** 2006

Signature: James Godschaix
Full Name: James Godschaix
Residence: 2205 Plymouth Street
Midland, MI 48642
Country: United States of America
Citizenship: United States of America
P. O. Address: Same as Residence

Signature: _____
Full Name: _____
Residence: _____

Country: _____
Citizenship: _____
P.O. Address: _____

Additional names and signatures are attached.

Received in the U.S. Patent and Trademark Office:

Response to notice to file missing parts
Declaration and power of attorney
Postcard



Applicant: Kenneth L. Foster et al.

Serial No.: 10/522,877

Filed: October 12, 2005

Title: METHOD OF FILLING HIGH ASPECT
RATIO, SMALL DIMENSION GAPS AND
FORMULATIONS USEFUL THEREIN
SMT/SIG 11/20/2006